

To: McKaughan, Colleen[McKaughan.Colleen@epa.gov]; Rios, Gerardo[Rios.Gerardo@epa.gov]
Cc: Chen, Eugene[Chen.Eugene@epa.gov]; WARD, LA WEEDA[WARD.LAWEEDA@EPA.GOV]
From: LEVIN, NANCY
Sent: Thur 10/8/2015 4:48:58 PM
Subject: RE: Complaint letter regarding environmental violations at Arizona egg operation

I agree – AgBMP could be a federal hook. But it depends on whether the facility qualifies (meets threshold), and whether AgBMP remedies address this particular problem. The rule provides the operator a lot of flexibility. Here's some basics on AgBMP in case you want to discuss further:

- ☐ ☐ ☐ ☐ ☐ ☐ AgBMP implementation begins in 2016.
- ☐ ☐ ☐ ☐ ☐ ☐ Applicability threshold for a poultry operation is more than 25,000 egg laying hens.
- ☐ ☐ ☐ ☐ ☐ ☐ Operator must select one BMP from a menu of listed in each of 4 categories: 1) housing, 2) feed and waste handling/transport, 3) traffic access areas, and 4) unpaved roads.
- ☐ ☐ ☐ ☐ ☐ ☐ Category 2 includes feed and waste BMPs. But the operator only needs to pick one from the category – which could be a feed BMP. IN that case, rule does not require implementation of a waste BMP
- ☐ ☐ ☐ ☐ ☐ ☐ The waste BMPs included in Category 2 are: a) clean floors and walls, b) clean aisles/rows, c) stack separated manure solids or d) maintain moisture in manure solids.

Nancy Levin Air Rules Office

415.972.3848 levin.nancy@epa.gov

US EPA Region 9, 75 Hawthorne St (AIR-4) San Francisco, CA 94105

From: McKaughan, Colleen
Sent: Wednesday, October 07, 2015 11:10 AM
To: Rios, Gerardo
Cc: LEVIN, NANCY; Chen, Eugene; WARD, LA WEEDA
Subject: RE: Complaint letter regarding environmental violations at Arizona egg operation

Ex. 5 - Deliberative Process

Ex. 5 - Deliberative Process

From: Rios, Gerardo
Sent: Wednesday, October 07, 2015 11:04 AM
To: McKaughan, Colleen <McKaughan.Colleen@epa.gov>
Cc: LEVIN, NANCY <Levin.Nancy@epa.gov>; Chen, Eugene <Chen.Eugene@epa.gov>;
WARD, LA WEEDA <WARD.LAWEEEDA@EPA.GOV>
Subject: RE: Complaint letter regarding environmental violations at Arizona egg operation

Ex. 5 - Deliberative Process

From: McKaughan, Colleen
Sent: Wednesday, October 07, 2015 10:05 AM
To: Rios, Gerardo <Rios.Gerardo@epa.gov>
Cc: LEVIN, NANCY <Levin.Nancy@epa.gov>
Subject: RE: Complaint letter regarding environmental violations at Arizona egg operation

Ex. 5 - Deliberative Process

From: Rios, Gerardo
Sent: Wednesday, October 07, 2015 9:39 AM
To: McKaughan, Colleen <McKaughan.Colleen@epa.gov>
Subject: FW: Complaint letter regarding environmental violations at Arizona egg operation

From: Jones, Joel E.

Sent: Wednesday, October 07, 2015 9:38 AM

To: Greenberg, Ken <Greenberg.Ken@epa.gov>; Rios, Gerardo <Rios.Gerardo@epa.gov>; Salazar, Matt <Salazar.Matt@epa.gov>

Cc: Johnson, Kathleen <Johnson.Kathleen@epa.gov>; TROMBADORE, CLAIRE <Trombadore.Claire@epa.gov>; Miller, Amy <Miller.Amy@epa.gov>; PERKINS, SUSANNE <Perkins.Susanne@epa.gov>

Subject: Re: Complaint letter regarding environmental violations at Arizona egg operation

FYI

Sent from my iPhone

On Oct 7, 2015, at 9:35 AM, Greenberg, Ken <Greenberg.Ken@epa.gov> wrote:

We've had communications with this group and ADEQ in response to CWA complaints. Whoever works on a Clean Air Act response could check with Susanne Perkins who has kept track of the CWA complaints regarding the Hickman egg farm.

Ken Greenberg, Manager

Wastewater Section (ENF-3-1)

Enforcement Division

EPA Region 9

75 Hawthorne Street

San Francisco, CA 94105

415-972-3577

Greenberg.ken@epa.gov

From: Johnson, Kathleen

Sent: Wednesday, October 07, 2015 9:19 AM

To: Jones, Joel E. <Jones.Joel@epa.gov>; TROMBADORE, CLAIRE <Trombadore.Claire@epa.gov>; Greenberg, Ken <Greenberg.Ken@epa.gov>

Cc: Miller, Amy <Miller.Amy@epa.gov>

Subject: FW: Complaint letter regarding environmental violations at Arizona egg operation

Ex. 5 - Deliberative Process

Kathleen H. Johnson

Director, Enforcement Division

U.S. EPA - Region 9

75 Hawthorne Street ENF-1

San Francisco, CA 94015

415/972-3873

johnson.kathleen@epa.gov

From: Danielle Diamond [<mailto:danielled@sraproject.org>]

Sent: Tuesday, October 06, 2015 12:43 PM

To: Blumenfeld, Jared <BLUMENFELD.JARED@EPA.GOV>; Jordan, Deborah <Jordan.Deborah@epa.gov>; Johnson, Kathleen <Johnson.Kathleen@epa.gov>

Cc: Aquitania, Manny <Aquitania.Manny@epa.gov>; Chan, Janice <Chan.Janice@epa.gov>; Howard Shanker <howard@shankerlaw.net>; Kendra Kimbirauskas <kendrak@sraproject.org>; barneyd@mail.maricopa.gov; district5@mail.maricopa.gov; chickman@mail.maricopa.gov; akunasek@mail.maricopa.gov; chucris@mail.maricopa.gov; massey.eric@azdeq.gov; cabrera.misael@azdeq.gov; williamwiley@mail.maricopa.gov

Subject: Complaint letter regarding environmental violations at Arizona egg operation

Please find the attached letter regarding concerns about federal environmental violations taking place at Arizona egg operations owned by Hickman Family Farms, etc.

Please have the EPA official or officials assigned to look into this case contact the undersigned as soon as possible to confirm receipt of this complaint and to set up a meeting with the organizations and citizens filing it.

EPA, Region 9's attention to this matter is appreciated.

Danielle Diamond, Executive Director
Socially Responsible Agriculture Project
danielled@sraproject.org
815.403.0278

www.sraproject.org

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